

JUDGE DAVID G. ESTUDILLO

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOÃO RICARDO DEBORBA,

Defendant.

No. CR22-5139-DGE

MR. DEBORBA'S
ACKNOWLEDGMENT AND WAIVER
OF JURY TRIAL RIGHTS

ACKNOWLEDGMENT AND WAIVER OF JURY TRIAL RIGHTS

I, João Ricardo DeBorba, the defendant in this case, with the advice of counsel, hereby
acknowledge that I understand and have been advised of the following rights:

1. The constitutional right to trial by jury;
2. The right to hold the government to its burden to prove beyond a reasonable
doubt every element of every charge without stipulation;
3. The right to confront and cross-examine all witnesses against me;
4. The right to compel witnesses to testify on my behalf;
5. The right to the assistance of counsel at all stages of the proceedings against me,
and the right to have the Court appoint counsel for me at no cost to me if I have insufficient
funds;
6. The right against self-incrimination including the right to remain silent at trial,
at which trial such silence could not be used against me; and

1 7. The right, if I choose, to testify on my own behalf at trial.

2 By my signature below, and with the advice of counsel, I knowingly and voluntarily
3 waive my rights to:

- 4 1. Trial by jury;
- 5 2. Confront and cross-examine witnesses against me;
- 6 3. Subpoena and present witnesses and evidence on my own behalf; and
- 7 4. Testify on my own behalf at trial.

8 I further acknowledge that the Court may find me guilty of the seven charges in the
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10 Superseding Indictment filed against me based on the attached Stipulation of Facts and
11 corresponding Exhibits. I acknowledge and understand that these charges carry the following
12 potential penalties:

13 1. A violation of Title 18, United States Code, Sections 922(g)(5) and (g)(8), as
14 charged in Counts 1 and 2, carries a maximum sentence of up to 15 years imprisonment,
15 pursuant to 18 U.S.C. § 924(a)(8); a fine of up to \$250,000.00, pursuant to 18 U.S.C. §
16 3571(b)(3); a period of supervision following release from prison of up to three (3) years,
17 pursuant to 18 U.S.C. § 3583(b)(2); and a mandatory special assessment of \$100.00, pursuant
18 to 18 U.S.C. § 3013(a)(2)(A). If a probationary sentence is imposed, the probation period can
19 be for up to five (5) years, pursuant to 18 U.S.C. § 3561(a), (c)(1).

20 2. A violation of Title 18, United States Code, Section 922(g)(5), as charged in
21 Count 3, carries a maximum sentence of up to 15 years imprisonment, pursuant to 18 U.S.C. §
22 924(a)(8); a fine of up to \$250,000.00, pursuant to 18 U.S.C. § 3571(b)(3); a period of
23 supervision following release from prison of up to three (3) years, pursuant to 18 U.S.C.
24 § 3583(b)(2); and a mandatory special assessment of \$100.00, pursuant to 18 U.S.C.
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1 § 3013(a)(2)(A). If a probationary sentence is imposed, the probation period can be for up to
2 five (5) years, pursuant to 18 U.S.C. § 3561(a), (c)(1).

3 3. A violation of Title 18, United States Code, Section 922(a)(6), as charged in
4 Counts 4 and 5, carries a maximum sentence of up to ten (10) years imprisonment, pursuant to
5 18 U.S.C. § 924(a)(2); a fine of up to \$250,000.00, pursuant to 18 U.S.C. § 3571(b)(3); a
6 period of supervision following release from prison of up to three (3) years, pursuant to 18
7 U.S.C. § 3583(b)(2); and a mandatory special assessment of \$100.00, pursuant to 18 U.S.C.
8 § 3013(a)(2)(A). If a probationary sentence is imposed, the probation period can be for up to
9 five (5) years, pursuant to 18 U.S.C. § 3561(a), (c)(1).

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11 4. A violation of Title 18, United States Code, Section 911, as charged in Count 6,
12 carries a maximum sentence of up to three (3) years imprisonment, pursuant to 18 U.S.C.
13 § 911; a fine of up to \$250,000.00, pursuant to 18 U.S.C. § 3571(b)(3); a period of supervision
14 following release from prison of up to one (1) year, pursuant to 18 U.S.C. § 3583(b)(3); and a
15 mandatory special assessment of \$100.00, pursuant to 18 U.S.C. § 3013(a)(2)(A). If a
16 probationary sentence is imposed, the probation period can be for up to five (5) years, pursuant
17 to 18 U.S.C. § 3561(a), (c)(1).

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19 5. A violation of Title 26, United States Code, Sections 5861(d) and 5845(a)(7), as
20 charged in Count 7, carries a maximum sentence of up to ten (10) years imprisonment,
21 pursuant to 26 U.S.C. § 5871; a fine of up to \$10,000.00, pursuant to 26 U.S.C. § 5871; a
22 period of supervision following release from prison of up to three (3) years, pursuant to 18
23 U.S.C. § 3583(b)(2); and a mandatory special assessment of \$100.00, pursuant to 18 U.S.C.
24 § 3013(a)(2)(A). If a probationary sentence is imposed, the probation period can be for up to
25 five (5) years, pursuant to 18 U.S.C. § 3561(a), (c)(1).

1 I acknowledge and understand that if I am convicted at my trial by Judge based on the attached
2 Stipulation of Facts and Corresponding Exhibits, there is no agreement about what sentence the
3 parties will recommend.

4 In addition, I, João Ricardo DeBorba, am aware that I have a right to a jury
5 determination concerning specific assets the United States seeks to forfeit in this proceeding
6 pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure. After conferring with my
7 attorney, I hereby knowingly and voluntarily waive my right to a jury determination as to
8 forfeiture in the above action, and agree that, if convicted, the Court will determine which
9 property is subject to forfeiture.
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12 DATED this 1st day of February, 2024.

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16 João Ricardo DeBorba
17 Defendant
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